



Patent  
Attorney's Docket No. 032705-008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Phillip A. PATTEN et al. ) Group Art Unit: 1634  
Application No.: 10/646,221 ) Examiner: Frank Wei Min Lu  
Filed: August 22, 2003 ) Confirmation No.:  
For: METHODS AND COMPOSITIONS )  
FOR POLYPEPTIDE ENGINEERING )

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a Third Preliminary Amendment and Request by Applicant for  
Interference Pursuant to 37 C.F.R. § 41.202 with Appendices A-G.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date January 31, 2005

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**THIRD PRELIMINARY AMENDMENT**  
**AND**  
**REQUEST BY APPLICANT FOR INTERFERENCE**  
**PURSUANT TO 37 C.F.R. § 41.202**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, entry of the following amendment is respectfully requested.

In conjunction with this Preliminary Amendment, Applicants request that an interference be declared between the instant application no. 10/646,221 ("the Patten '221 application") and U.S. Patent No. 6,605,449 to Short ("the Short '449 patent").